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July 15, 2021

Honorable Judge Sean H. Lane
United States Bankruptcy Court
300 Quarropas Street
White Plains, New York 10601

MEMORANDUM ENDORSED ORDER
The requested extension of time is granted.
So Ordered.
Dated: July 16, 2021
/s/ Sean H. Lane
United States Bankruptcy Judge

Re: Linda M. Tirelli, Esq. Multi Case Order to Show Cause
Justo Reyes Case No. 16-22556 (SHL)
Karen Jackson Case No. 16-23514 (SHL)
Janet Berger Case No. 17-22921 (SHL)
Anastasia Cretekos Case No. 18-22239 (SHL)
Frank Occhipinti Case No. 18-22690 (SHL)
Richard Graham Watson Case No. 18-22923 (SHL)
Douglas Kramer Case No. 18-22940 (SHL)
Charmaine J. Brown Case No. 18-23036 (SHL)
Janice K. Desmond Case No. 18-23750 (SHL)
Suzanne M. Faupel Case No. 19-22007 (SHL)
Christopher Rocco Gizzo Case No. 19-22051 (SHL)
John Kolkowski Case No. 19-22172 (SHL)
Catherine R. Pelle Case No. 19-22229 (SHL)
David Daniel Akerib Case No. 19-22276 (SHL)
Sarah Frankel Case No. 19-22281 (SHL)
Malka Farkas Case No. 19-22520 (SHL)
Blossom Joyce Consingh Case No. 19-23034 (SHL)

Dear Judge Lane,

Please be advised I am ethics counsel retained to represent Attorney Linda M. Tirelli in the multi-case Order to Show Cause referenced above. My Notice of Appearance is being filed with this Court today.

I am writing about the Scheduling Order issued on July 2, 2021. Ms. Tirelli has been working diligently to amend the plans which she believes are amendable and has advised me she has completed the amended plans, several of which have already been filed and served. Unfortunately, she has not been able to reach all clients for signatures.

Attached is a letter from Ms. Tirelli requesting an enlargement of time to have her clients execute the plans prior to filing. She is respectfully requesting a two week extension of time, to July 29, 2021, to obtain signatures.

Please be advised that I will be out of my office beginning July 20, 2021 and expect to return sometime on July 27, 2021. During that time, I will not have internet access. Therefore, I request that all communications addressed to me also be sent to Ms. Tirelli.

Ms. Tirelli has advised me that a hearing has been scheduled for July 21, 2021 at 2 PM. As noted above, I will not be available at that time and therefore, we request that such hearing be adjourned to August 11, 2021.

Thank you for your time and attention to this matter.

Sincerely,

/s/ Richard E. Grayson

Richard E. Grayson

Ethics Counsel to Attorney Linda M. Tirelli

cc: Linda M. Tirelli, Esq.

Krista Preuss, Esq.

Andy Velez-Rivera, Esq.

Tirelli Law Group, LLC

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Linda M. Tirelli*
Victoria Lehning**

*Admitted CT, USDCCT, SDNY, EDNY and SCOTUS
**Admitted NY, USDC SDNY, EDNY

July 15, 2021

Hon. Sean H. Lane
United States Bankruptcy Judge
United States Bankruptcy Court
300 Quarropas Street
White Plains, NY 10601

RE: Request For Enlargement of Time for Debtors to Execute Amended Plans
As Required per Scheduling Order of this Court

Dear Hon. Judge Lane,

I was away July 1, 2021 through July 6, 2021 and did not see the scheduling order entered on July 2, 2021 until July 7, 2021. In an effort to comply with the portion of the scheduling order requiring me to amend the plans which can be amended, I am pleased to report the amended plans are completed and ready for the required signatures from each debtor.

As set forth below, there are 8 plans out of the enumerated 17 that can be amended as per the order. I have categorized all 17 cases below to distinguish the cases which cannot or need not be amended at this time.

I am respectfully requesting additional time, to July 29, 2021 to allow each client to come in and sign their amended plans. It is the strict rule of my firm that no document bearing an E-Signature is filed unless we have an original signed in our office file. I will be diligent about obtaining signatures, but realistically trying to get 8 individuals caught up on summer activities to read and sign amended plans is challenging and may take another 2 weeks.

List of 17 Cases Subject to the Order to Show Cause

1. Justo Reyes Case No. 16-22556 (SHL)
2. Karen Jackson Case No. 16-23514 (SHL)
3. Janet Berger Case No. 17-22921 (SHL)
4. Anastasia Cretkos Case No. 18-22239 (SHL)
5. Frank Occhipinti Case No. 18-22690 (SHL)
6. Richard Graham Watson Case No. 18-22923 (SHL)
7. Douglas Kramer Case No. 18-22940 (SHL)

8. Charmaine J. Brown Case No. 18-23036 (SHL)
9. Janice K. Desmond Case No. 18-23750 (SHL)
10. Suzanne M. Faupel Case No. 19-22007 (SHL)
11. Christopher Rocco Gizzo Case No. 19-22051 (SHL)
12. John Kolkowski Case No. 19-22172 (SHL)
13. Catherine R. Pelle Case No. 19-22229 (SHL)
14. David Daniel Akerib Case No. 19-22276 (SHL)
15. Sarah Frankel Case No. 19-22281 (SHL)
16. Malka Farkas Case No. 19-22520 (SHL)
17. Blossom Joyce Consingh Case No. 19-23034 (SHL)

List of 5 Cases Subject to the Order to Show Cause Currently Dismissed (ie., The Plan Cannot be Amended)

1. Justo Reyes Case No. 16-22556 (SHL)
2. Janet Berger Case No. 17-22921 (SHL)
3. Charmaine J. Brown Case No. 18-23036 (SHL)¹
4. Suzanne M. Faupel Case No. 19-22007 (SHL)
5. John Kolkowski Case No. 19-22172 (SHL)

List of 1 Case Subject to the Order to Show Cause In Which There Never Was Any Language Requiring Funds Be Escrowed

1. Blossom Joyce Consingh Case No. 19-23034 (SHL)²

List of 3 Cases Subject to the Order to Show Cause In Which Plan was Amended Prior to the Order to Show Cause

1. **Sarah Frankel Case No. 19-22281 (SHL)**
Plan amended April 13, 2021 (see ECF Dkt 55)
2. **Catherine R. Pelle Case No. 19-22229 (SHL)**

¹ This is a dismissed case, however it is worth noting that it was not a base chapter 13 case handled by this firm. Tirelli Law Group acted as litigation counsel only and defers to David Babel, Esq., counsel for the base case for any amendments the Court deems appropriate in a dismissed case.

² As per the Order to Show Cause there is a typographical error on the Debtor's first chapter 13 plan filed on 8/6/2019 (see Dkt No. 24) at Section 3.2(a) which reads, "*address where post-petition payments will be sent: Per DOC #2*". It should have read, "*address where post-petition payments will be sent: Per POC #2*". It is common knowledge among bankruptcy practitioners that "POC" stands for "Proof of Claim". The Proof of Claim Number 2 in this case is the mortgage claim pertaining to the Debtor's primary residence. The Debtor all times was to pay her monthly housing expense identified on her Schedule J, and again in the Chapter 13 Plan, directly to the creditor. This typo error of a "D" instead of a "P" was inadvertent and went unnoticed until the Order to Show Cause; however, the plan was amended back on November 4, 2020 (see ECF Dkt No 52) SEVEN (7) months prior to the Order to Show Cause being issued in this case. The amended plan is not addressed in the pending Order to Show Cause and the language being scrutinized was never incorporated in this case.

- Plan Amended March 2, 2020 (se ECF Dkt 36)
- 3. Richard Graham Watson Case No. 18-22923 (SHL)**
Plan amended January 22, 2020 (se ECF Dkt 63)

List of 1 Case Subject to the Order to Show Cause In Which Court Order Acknowledged the Plan Language and Ordered Payments would be Made to the Creditor, Months After Funds were Turned Over to Mortgage Creditor

1. In re Malka Farkas Case No. 19-22520(SHL) See Opposition filed as ECF Dkt 68 on July 12, 2021 linked to prior Order entered on 10/28/2019.³ The plan will be amended, my office is trying to reach the client to schedule an appointment.

List of 7 Cases Subject to the Order to Show Cause Which Have Been Amended or Are in the Process of Being Amended and/or Awaiting Debtors' Signatures

1. Janice K. Desmond Case No. 18-23750 (SHL)
2. Karen Jackson Case No. 16-23514 (SHL) – Amended Plan Filed 07/14/2021
3. Anastasia Cretekos Case No. 18-22239 (SHL) - Amended Plan Filed 07/14/2021
4. Frank Occhipinti Case No. 18-22690 (SHL) - Amended Plan Filed 07/14/2021
5. Douglas Kramer Case No. 18-22940 (SHL)
6. Christopher R Gizzo Case No. 19-22051 (SHL) - Amended Plan Filed 07/14/2021
7. David D Akerib Case No. 19-22276 (SHL)

Thank you for your time and consideration. I remain

Very truly yours,

/s/ Linda M Tirelli
Linda M Tirelli Esq.

Cc:
Andy Velez-Rivera, Esq.
Krista Preuss, Esq.

³ The undersigned will certainly amend the Chapter 13 plan but was waiting on an evidentiary hearing for judicial determination of the value of the Debtor's investment property, currently scheduled for August 11, 2021.